(b) if so, the details thereof;

(c) whether or not the invoking of Article 356 with respect to Bihar will undermine the objectivity of the exercises; and

(d) if not, the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) and (b) The agenda item relating to the Emergency Provisions of the Constitution was discussed in the Fifth meeting of the Inter-State Council (ISC) held on the 22nd of January, 1999. The ISC decided that the Sub-Committee under the Convenership of the Union Defence Minister should continue deliberations to evolve consensus on amendment of article 356. The Chief Ministers of Rajasthan and Tamil Nadu were also included in the Sub-Committee as Members.

(c) and (d) Invoking of article 356 in relation to the State of Bihar does not undermine the objectivity of the exercise. The constitution of the Sub-Committee does not imply that article 356 will not be used in appropriate cases.

Study on Condition of Jails and Prisoners

1617. SHRIMATI KAMLA SINHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have made any study recently with regard to conditions prevailing in the country's Jails and plight of those jailed, especially the undertrials and women prisoners;

(b) if so, what are the details thereof; and

(c) what steps have been taken by Government to improve the condition of jails and the plight of prisoners and make the jails play the role of corrective and reformatory institutions?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) and (b) No such study has been made by the Central Government recently. However, interaction with the State Governments indicates that there is need to address the criminal Justice System in order to improve the plight of undertrials and women prisoners. According to available information, about 70% of the prison population consists of undertrials.

(c) 'Prisons' is a State subject as per the Constitution of India. As such, prison management is primarily the responsibility of the State Governments. However, the Central Government has been stressing upon the State Governments the need to improve the conditions in jails and make the jails truly corrective and reformatory institutions. Further, the Central Government has been providing financial assistance to the State Governments through the Finance Commissions awards as well as under the Central Scheme for Modernisation of Prison Administration for strengthening their prison infrastructure..

Insurgency in North-East Attributed to Poor Governance

1618. SHRI O.P. KOHLI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a note prepared by the Home Ministry recently has attributed the spread of insurgency in the North-East to the poor governance by the State Governments of Assam, Manipur, Nagaland and Tripura; and

(b) if so, the remedial steps taken in this regard?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) Insurgency in the North-East is not merely a law and order issue but a complex issue. The ethnicity aspect, namely, the feeling of being different from the mainstream Indians, is pronounced in the North-East. The people also suffer from a feeling of "neglect" by the authorities. The change from a largely tribal society to a modern society has also contributed to the unrest. Pak ISI has been assisting the insurgents. Presence of long porous borders has facilitiated the movement of insurgent groups as well as the inflow of illegal arms into the region, besides the large scale influx of illegal migrants into the country. Insurgent groups have sanctuaries in some of the neighbouring countries. Lack of employment opportunities other than in Government sector has fuelled the influx of neo-literate youth into insurgent groups. Poor governance by some State Governments has also been a contributory factor.